IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.15 OF 2006

Mr.Dattatray Mahadeo Daitkar. ...Petitioner.

vs.

M/s.Sarah Enterprises & another. ...Respondents.

Mr.Milind Wasudeo i/b. Ms.Swapnila Rane, for Petitioner.

Mr.N.V.Gangal i/b. Mahesh Jain & co., for Respondent no.1.

Mr.S.M.Shattiyar, for Respondent no.2.

CORAM: D.K.DESHMUKH,J.

DATED: 11th September,2006.

P.C.:-

By consent of parties, the petition is disposed of in the following terms:-

1. By consent of parties Mr.Prasad Dani, Advocate, is appointed as Arbitrator. The disputes between the parties are referred to the Arbitrator for decision in accordance with law.

2. Ad-interim order dated 4.5.2006 passed in this petition to

continue, with liberty to the parties to apply before the learned Arbitrator either for modification or cancellation of the order dated 4.5.2006 or for any further interim relief.

3. It is directed that the Prothonotary and Senior Master of this Court shall give back the bank draft deposited by the petitioner to the petitioner. The Petitioner shall within a period of one week from the date on which he gets the bank draft from the Prothonotary and Senior Master of this Court, shall get the bank draft issued in the name of the Prothonotary and Senior Master of this Court.

4. After receiving the bank draft, the Prothonotary and Senior Master of this Court get it encashed and invest the amount in fixed deposit in a nationalised bank.

5. Disposal of that amount shall be governed by the order passed by the learned Arbitrator.